

## **Remark**

Applicants respectfully request reconsideration of this application as amended. Claim 1 has been amended. Claims 19 and 20 have been canceled. Therefore, claims 1-18 are now presented for examination.

### **35 U.S.C. §112 Rejection**

The Examiner has rejected claim 9 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claim 9 is canceled. Applicants do not concede the points made by the Examiner but do this in an effort to expedite prosecution.

### **35 U.S.C. §103 Rejection**

#### *Maes in view of Nguyen*

The Examiner has rejected claims 1-8 and 10-11 under 35 U.S.C. §103 (a) as being unpatentable over Maes, U.S. Patent No. 6,818,517 (“Maes”), in view of Nguyen et al., U.S. Patent Publication No. 2004/015845 (“Nguyen”). In Maes, the Examiner is relying almost completely on the statement at Col. 4, lines 27 et seq. that “a vapor phase pulse of a metal source chemical is introduced into the reaction space and contacted with the substrate surface.” Then in Col. 5, lines 26, et seq., “nitrogen radical are generated in a remote plasma chamber and are provided to the reaction chamber simultaneously with the silicon source gas.” These two statements are consistent in that there is a remote or separate plasma chamber that generates a gas that is then applied to the reaction chamber. In addition, the plasma material is the reactant or deposition material.

The invention as described, for example, in Claim 1, differs first in that "plasma power" is applied to the deposition chamber. This is not the same as adding a plasma to the chamber. In that case "power" is not applied, just a plasma. This has been clarified in Claim 1 which now also recites "power in a radio frequency form." This amendment makes it clear that the chamber in the present invention operates differently from that of Maes.

Second, the deposition gas is introduced "after applying the plasma power." In Maes, the plasma is the deposition material. It cannot be added after the plasma is introduced because they are the same thing. The Examiner, in reference to Col. 5, lines 22-43 has suggested that Maes shows that the silicon source gas may be pulsed into a continuous flow of nitrogen radicals. Maes actually states that the nitrogen radicals and the silicon source gas are provided simultaneously. At lines 38-43, Maes suggests that the nitrogen and the silane can be alternated. However, both are necessary to the deposition process. so the plasma and the deposition gas are again added at the same time.

For these reasons, *inter alia*, the claims of the present invention are believed to be allowable over the references. All of the claims are dependent on Claim 1 and are believed to be allowable therefore, *inter alia*.

## Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: January 17, 2008



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